

In-Place Management Plan – Operations & Maintenance Plan

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This document is intended to be a guide for continued Operations and Maintenance and In-Place Management of your property located at:

195 McGregor St., Residential Units Manchester, NH 03102

The purpose of this plan is twofold: 1) Prevention of dust migration and accumulation through gaps in flooring in some units, 2) Cleaning schedule and process prior to new occupancy following a vacancy. Additionally, the inspection reports performed on child occupied units and common areas show that the majority of lead exposure hazards have been enclosed or replaced. No components have been encapsulated. The property owner must visually assess these areas periodically to ensure that all enclosures remain in place and all lead-based substances have not become lead exposure hazards. A table at the end of this document may be used for periodic inspections. Please follow the specific regulations below: **Note there is action required by the property owner at certain intervals. See the sections in bold for more information**

1) Prevention of Dust Migration:

Due to the historic nature of flooring boards in some units, dust can migrate and accumulate if conditions below floors are not remedied. The property owner plans to mitigate against this potential dust migration in several ways: from above (in units) through gap filling and cleaning at turnovers, from below through containment and enclosure of ceilings while renovating these spaces and through periodic monitoring in units where high dust had previously occurred. HVAC filters are being changed as units are cleaned and will be changed again on a semi-annual basis.

He-P 1608.16 In-Place Management Standards (applicable to units / common areas where abatement has occurred)

(a) In-place management shall be implemented when an order has been issued on the dwelling, dwelling unit or child care facility in accordance with He-P 1605.01 and:

(1) Lead hazard reduction work has been completed and a certificate of compliance has been issued in accordance with He-P 1608.14; and

(2) Lead-based substances remain in the dwelling, dwelling unit or child care facility.

(b) In-place management may be used by any person as a means of preventing lead-based substances from becoming lead exposure hazards.

(c) When practicing in-place management of lead-based substances, an owner or owner's agent shall:

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- (1) Provide a written notice to the tenants of the dwelling, dwelling unit or child care facility requesting them to notify the owner or agent of any damaged or deteriorating painted surface;**
- (2) Respond to the notification of deteriorating or damaged paint within:**
 - a. Ten business days if a child resides in the affected unit; or**
 - b. Twenty-five business days if a child does not reside within the affected unit;**
- (3) Conduct visual inspections of each dwelling, dwelling unit or child care facility to detect any change in condition of components, surfaces, or areas which may result in the creation of a lead exposure hazard:**
 - a. At least once every 6 months;**
 - b. Prior to re-occupancy after unit is vacated by previous occupant; and**
 - c. Upon request of an occupant of a dwelling, dwelling unit or child care facility;**
- (4) Document in writing the findings of the visual inspection with the following information:**
 - a. The date of the visual inspection;**
 - b. A written description of all observations made pursuant to (3) above; and**
 - c. The signature of the owner or person conducting the visual inspection;**
- (5) Maintain the written documentation of the visual inspection for a period of 5 years;**
- (6) Provide a copy of the written documentation of the visual inspection to the commissioner upon request;**
- (7) Clean all horizontal surfaces in the area that are accessible to children by:**
 - a. Washing with a solution of a general all-purpose or lead-specific cleaner and water; and**
 - b. Rinsing completely with clean water; and**
- (8) Conduct cleaning prior to re-occupancy after unit is vacated by previous occupant.**
 - (d) When in-place management practices are implemented and an annual clearance inspection is conducted as required by He-P 1610.06 for the renewal of a certificate of compliance – interim controls, that inspection may count as one of the inspections required by (c)(3)a. above.**

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(e) When a lead exposure hazard is found to exist and involves less than 6 square feet of surface area, correction of the hazard shall be considered in-place management, and the hazard shall be remedied with interim controls in accordance with He-P 1610.02 through He-P 1610.05.

(f) When remedying a hazard described in (e) above, a property owner shall not engage in any practice prohibited under He-P 1609.02(b).

(g) When a lead exposure hazard is found to exist and involves more than 6 square feet of surface area, the property owner shall:

(1) Remedy the hazard in accordance with either He-P 1609 or He-P 1610; and

(2) Maintain documentation of the lead hazard reduction work and make the documentation available to the department upon request.

He-P 1608.09 Worker Protection.

(a) All work areas where employees perform lead hazard reduction work shall be arranged, equipped, operated and conducted in a manner which will prevent lead-based substances or lead contaminated materials from escaping from the work areas, in accordance with the requirements set forth in He-P 1608, He-P 1609 and He-P 1610.

(b) No employee shall be permitted to eat, drink, smoke, chew gum or tobacco, or apply cosmetics in any lead hazard reduction work area.

(c) All individuals and employees who enter into an area where lead hazard reduction work is occurring shall comply with all applicable worker safety and respiratory protection requirements including, but not limited to, proper personal protective equipment, respiratory protection equipment, respirator training, medical clearance, and documented fit test as specified by OSHA 29 CFR 1910.134 (January 8, 1998 edition).

(d) All personal protective equipment required (c) above shall be provided to the employees by their employer free of charge.

Source. #5920, eff 1-1-95; ss by #7181, eff 12-24-99; ss by #7495, eff 5-23-01; ss by #8039, eff 2-13-04; ss by #8932, eff 7-6-07; ss by #8932, eff 7-6-07; ss by #9986, eff 9-1-11

He-P 1608.10 Control of Access.

(a) Until a clearance inspection has been completed and the dwelling, dwelling unit or child care facility has been found to pass the criteria set forth in He-P 1608.12, the lead abatement contractor, owner-contractor, lead abatement supervisor, or any person(s) granted a variance by the commissioner shall:

(1) Make certain that all occupants have been relocated outside the work area in accordance with Table 8.1 through Table 8.3 of the United States Department of Housing and Urban

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Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing, June 1995; and

(2) Limit access and entry into any lead containment area to the following:

- a. The owner of the property where the lead hazard reduction work is occurring, or the owner's designee;
- b. Licensed or certified lead professionals;
- c. Any federal, state, or local official with jurisdiction over one or more of the activities within the work area; and
- d. Non-licensed or non-certified workers only after a preliminary clearance inspection has been obtained as described in He-P 1608.12(a)–(e).

(b) The lead abatement contractor, owner-contractor, lead abatement supervisor or any person(s) granted a variance by the commissioner shall maintain an access control log for persons who have entered any lead hazard reduction work area as allowed in (a)(2) above.

(c) All individuals entering and exiting the lead hazard reduction work area shall provide the following information on the access log:

- (1) Date of entry;
- (2) Printed name and signature of person entering the lead hazard reduction work area;
- (3) Employer of person entering the lead hazard reduction work area; and
- (4) Time of entry and exit.

(d) The lead abatement contractor, owner-contractor, lead abatement supervisor, or any person(s) granted a variance by the commissioner shall ensure that the lead hazard reduction work does not violate state laws, rules or local ordinances for health, building and fire safety for access to the dwelling, dwelling unit or child care facility.

(e) Whenever lead hazard reduction work is being performed in any common or shared area of an occupied dwelling or child care facility, the following shall apply:

(1) The lead abatement contractor, owner-contractor, lead abatement supervisor, or any person(s) granted a variance by the commissioner shall conduct work in phases, or shall ensure that an uncontaminated passage that is in compliance with all state laws, rules or local ordinances for health, building and fire safety exists for entry and egress from the dwelling unit or child care facility for all occupants to use; and

(2) When it is not possible to preserve an uncontaminated passage for entrance and exit of all occupants from the dwelling in compliance with all state laws, rules or local ordinances for health, building and fire safety:

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a. Lead hazard reduction work shall only be conducted in any common area when all occupants whose access is affected by the lead hazard reduction work are out of the building during all work periods provided that:

1. The work area shall be cleaned with a HEPA vacuum at the end of each work period;
2. The HEPA vacuuming shall be followed by a wet washing using a general all-purpose or lead-specific cleaner; and
3. After the work area is completely dry, a repeat HEPA vacuuming shall be done until all surfaces are free of visible dust and debris; or

b. The owner shall comply with the provisions of RSA 130-A:8-a regarding the relocation of building occupants whose access is affected by the lead hazard reduction activities for the duration of the work, which hinders access.

Source. #7181, eff 12-24-99; ss by #7495, eff 5-23-01; ss by #8039, eff 2-13-04; ss by #8932, eff 7-6-07; ss by #9986, eff 9-1-11

Date	Unit # / Component	Defects Y/N	Signature of Owner/Agent